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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,672	01/07/2004	Jose Miguel Cabezas	018579.0082US1	6781
34284	7590	10/21/2004	EXAMINER	
ROBERT D. FISH RUTAN & TUCKER LLP 611 ANTON BLVD 14TH FLOOR COSTA MESA, CA 92626-1931			BOCHNA, DAVID	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

10/753,672

Applicant(s)

CABEZAS, JOSE MIGUEL 

Examiner

David E. Bochna

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: Lines 2-3 contain grammatical errors. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Egner et al.

In regard to claim 1, Egner et al. discloses a pipe flange apparatus comprising a first pipe flange S having a frontal face surrounding a central bore W passing through the flange, the face comprising an internal flange recess X extending into the flange and surrounding the bore, and a groove Z extending into the flange and surrounding the internal flange recess, wherein the internal flange recess comprises a textured surface 11 (all surfaces inherently have some texture to them) at least partially surrounding the bore W.

In regard to claim 2, the groove Z is substantially circular and the internal flange recess X is disk shaped, and the diameter of the groove Z is greater than the diameter of the internal flange recess.

In regard to claim 3, the flange comprises a plurality of boreholes H extending through the flange and positioned radially around the groove.

In regard to claim 4, the groove Z has a depth less than that of the internal flange recess X.

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In regard to claim 5, further comprising an internal flange A having first and second portions surrounding a bore extending through the internal flange, wherein the first portion is positioned at least partially within the internal flange recess of the first pipe flange and in contact with the textured surface of the first pipe flange and the second portions extends into the bore; and

a first sealing ring C positioned at least partially within the groove surrounding the internal flange recess.

4. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Campbell.

In regard to claim 1, Campbell discloses a pipe flange apparatus (fig. 4) comprising a first pipe flange having a frontal face surrounding a central bore 32a passing through the flange, the face comprising an internal flange recess 32d extending into the flange and surrounding the bore, and a groove 32b extending into the flange and surrounding the internal flange recess, wherein the internal flange recess comprises a textured surface 32c (all surfaces inherently have a texture) at least partially surrounding the bore.

In regard to claim 2, the groove 32b is substantially circular and the internal flange recess 32d is disk shaped, and the diameter of the groove is greater than the diameter of the internal flange recess.

In regard to claim 3, the flange comprises a plurality of boreholes 32e extending through the flange and positioned radially around the groove.

In regard to claim 4, the groove 32b has a depth less than that of the internal flange recess 32c.

In regard to claim 5, further comprising an internal flange 36 having first and second portions surrounding a bore extending through the internal flange, wherein the first portion 36m is positioned at least partially within the internal flange recess of the first pipe

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flange and in contact with the textured surface of the first pipe flange and the second portion 36a extends into the bore; and

a first sealing ring 38 positioned at least partially within the groove surrounding the internal flange recess.

In regard to claim 6, the first portion 36f of the internal flange is sized and positioned such that substantially fills all of the internal flange recess but does not extend radially outward from the internal flange recess 32d.

In regard to claim 7, the flange is coupled to a lined pipe having a central liner that is separate from the internal flange, and extends into the central bore of the first pipe flange such that the liner and the second portion of the internal flange line the central bore of the first pipe flange (see fig. 13).

Allowable Subject Matter

5. Claims 8-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

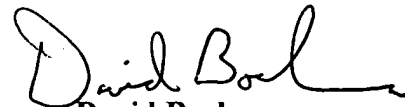
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McNealy, Breaker, Berchem, Svetlik et al., Goetzinger, Martin, West, Albro, Davis et al. and Smith et al. all disclose similar couplings common in the art.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

A handwritten signature in black ink, appearing to read "David Bochna". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Bochna
Primary Examiner
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October 14, 2004